

## **House Bill 1 Frequently Asked Questions**

**1. Q: I wasn't aware of the new regulations. How were the dentists in Kentucky informed?**

**A:** An email was sent to all dentists by KASPER and the Cabinet for Health and Family Services. The Kentucky Board of Dentistry supplied the KASPER office with all emails that were on file at the time for the dentists in the state.

**2. Q: When did this law become effective?**

**A:** The law became effective on July 20, 2012. There is a grace period that ends September 15, 2012 for all dentists to be registered with KASPER.

**3. Q: I don't have a computer in my office, what do I do?**

**A:** It is required by law that each office must have one computer with internet capabilities to access the KASPER website and run the KASPER report as well as a printer to print the KASPER results.

**4. Q: When am I required to run a KASPER?**

**A:** A KASPER report is required for all patients that a dentist prescribes schedule II, schedule III and specific schedule IV controlled substances (see Q# 6 below re exception for oral surgery).

**5. Q: How often do I have to run a KASPER report to update a previous report?**

**A:** KASPER reports should be updated every three months.

**6. Q: What do I do if my patient is in pain?**

**A:** If a dentist has performed oral surgery on a patient, they can prescribe medication for up to 72 hours without querying KASPER. If the dentist has not performed oral surgery on the patient, a KASPER report must be generated for all schedule II, III and specific schedule IV medications to be prescribed to the patient.

**7. Q: Is the dentist required to inform the patient that a KASPER report will be generated?**

**A:** No.

**8. Q: Are dentists required to keep the KASPER report in the patient record?**

**A:** It is not a requirement, however it is recommended for documentation purposes. Additionally, if the patient is seen in the office more than one time during a three month period, the same KASPER report can be used.

9. **Q: Informed Consents are required to be signed by patients. Is there a separate Informed Consent that is required for prescriptions given to patients?**

**A:** Patients must consent to their treatment, which includes the medication being prescribed. This can be included on the same Informed Consent form.

10. **Q: Is it required that post treatment instructions are included in the patient record?**

**A:** It is not a requirement; however it is recommended in the event the dentist is asked to provide proof that it was provided at a later date.

11. **Q: I'm a licensed Kentucky dentist, however I am in the military. Do I still need to register?**

**A:** Yes, currently the law requires every Kentucky dentist who holds a DEA license to register with KASPER, whether or not you are currently practicing dentistry in Kentucky.

12. **Q: Am I required to complete any continuing education requirements regarding these changes in House Bill 1?**

**A:** Dentists are required to complete 3 hours of continuing education that relates to the use of the electronic monitoring system, pain management or addiction disorders prior to renewing their license December 31, 2013.

13. **Q: Can an associate dentist write a refill for a patient if the associate dentist that treated the patient is not present?**

**A:** Yes, provided the partner or associate perform an exam on the patient prior to prescribing the controlled substance. Additionally, If the KASPER is older than three months, an updated KASPER would need to also be obtained.

14. **Q: I am a licensed dentist in Kentucky and am adhering to the new HB1 law. Occasionally the KASPER report takes an extended amount of time to process. Do you have any recommendations for this situation?**

**A:** Although not a requirement, it is permissible to designate a staff member to obtain the KASPER reports in advance of the patient's appointment to alleviate this problem.

15. **Q: If I run a KASPER on a patient and I feel that the patient may be abusing drugs, what should I do?**

**A:** Speak to the patient in private. Explain to them that you have concerns about their health and welfare as a result of the information that was generated on the KASPER. You have the right to refuse to prescribe them a controlled substance. You can also contact the local law enforcement agency if you feel the need to do so.